

Commissioner for Patents

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REMARKS/ARGUMENTS

Reconsideration of this application is requested.

Initially, it is noted that a typographical error has been corrected at paragraph [31] of the specification. It is clear that no issues of new matter arise.

Claim Rejections - 35 USC § 112

Claims 1-9 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. In particular, claim 1 failed to adequately distinguish between "the surface" and a "flat surface". Claims 1 and 2 are cancelled and the subject matter thereof is incorporated into amended claim 3. Amended claim 3 is amended to differentiate between --a surface to be irradiated-- and --a flat support surface--. The rejection of claims 1-9 is thereby traversed.

Claims 2, 10, 15 and 16 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite because the language "adapted to" is considered vague and indefinite. Applicants respectfully disagree. (See *Ex Parte Ralph B. Brick*; Appeal No. 2000-1794; Application 08/901,171, heard May 15, 2001.) Nonetheless, claims 2, 10 and 15 are cancelled and claim 16 is amended to remove reference to the phrase. The rejection of claims 2, 10, 15 and 16 is thereby traversed.

Claim Rejections - 35 USC § 103

The Office Action rejected claims 1-20 under 35 U.S.C. 103(a) as being unpatentable over Pick in view of Summers.

As noted above, claims 1 and 2 are cancelled and the subject matter thereof incorporated into claim 3, which is amended to claim a quick-install irradiation unit including a mounting bracket that is mountable to a structure for supporting the surface to be irradiated. the mounting bracket detachably securing one end of the frame to maintain a longitudinal axis of the frame in a fixed

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relationship with the surface to be irradiated, regardless of an orientation of the quick-install irradiation unit, the elongated support frame comprising a housing at one end, the housing being receivable in an open end of the mounting bracket and releasably locked therein. No combination of Pick and Summers teaches or suggests the invention claimed in claim 3. The rejection of claim 3 is thereby traversed.

Claims 4-9, which depend from claim 3, are likewise not obvious in view of the teachings of Pick and Summers. The rejection of claims 4-9 is thereby likewise traversed.

As noted above, claim 10 is cancelled. Claim 11 is amended to include the subject matter of claim 10 and claims means for detachably locking the housing to the mounting bracket to securely support the elongated frame in proximity to the surface to be irradiated, regardless of an orientation of the quick-install irradiation unit. For reasons noted above with respect to claim 3, the subject matter of claim 11 is neither taught nor suggested nor obvious in view of Pick and Summers. The rejection of claims 10 and 11 is thereby likewise traversed. Claims 12-14, which depend from claim 11, are also patentable over Pick in view of Summers. The rejection of claims 12-14 is thereby traversed.

As noted above, claim 15 is cancelled and the rejection thereof is traversed.

Claim 16 is amended to overcome the 35 U.S.C. § 112 rejections. Claim 16 claims a method of constructing a mounting bracket for a quick-install irradiation unit. Neither Pick nor Summers teach or suggest a mounting bracket for a quick-install irradiation unit or any method of making one. The rejection of claim 16 was therefore improper and Applicants respectfully request that it be withdrawn.

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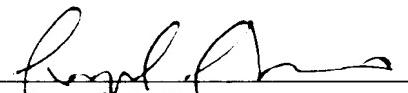
Claims 17-20, which depend from claim 16, are likewise neither taught nor suggested by any combination of Pick and Summers. The rejection of claims 16-20 is thereby traversed.

Conclusion

In view of the cancellation of claims 1, 2, 10 and 15 as well as the amendment of claims 3, 11 and 16, the claims remaining in this application are considered to be in a condition for immediate allowance. Favourable reconsideration and early issuance of a Notice of Allowance are therefore requested.

If there are any fees required by this communication, please charge the same to Deposit Account No. 16-0820, Order No. 33277.

Respectfully submitted,

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